



Deepwater Horizon Natural Resource Damage Assessment

Early Restoration Project Selection Criteria

Early restoration provides an opportunity to implement restoration projects prior to the completion of the Natural Resource Damage Assessment (NRDA) process.

On April 21, 2011, the Deepwater Horizon NRDA Trustee Council announced a “Framework Agreement” under which BP committed to provide \$1 billion toward implementation of early restoration projects.

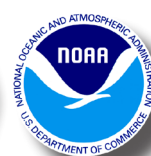
The trustees are required to evaluate early restoration projects to determine if they meet all of the criteria in the Oil Pollution Act Natural Resource Damage Assessment Regulations (15 CFR §§ 990 et seq.), as follows:

- The cost to carry out the alternative (cost-effectiveness).
- The extent to which each alternative is expected to meet the Trustee Council’s goals and objectives in returning the injured natural resources and services to baseline and/or to compensate for interim losses.
- The likelihood of success of each alternative.
- The extent to which each alternative will prevent future injury as a result of the incident and avoid collateral injury as a result of implementing the alternative.
- The extent to which each alternative benefits more than one natural resource and/or service.
- The effect of each alternative on public health and safety.

In evaluating and selecting projects for funding from the \$1 billion, the trustees also will apply the following additional considerations and criteria:

- The opportunity for and feasibility of implementing a project expeditiously, consistent with the goal of beginning projects in 2011 and 2012.
- Consistent with Section 1006 of the OPA (33 U.S.C. § 2706) and the OPA NRDA Regulations (15 CFR §§ 990 et seq.), the trustees shall select projects for early restoration that meet all of the following criteria:
 - a. contribute to making the environment and the public whole by restoring, rehabilitating, replacing, or acquiring the equivalent of natural resources or services injured as a result of the Deepwater Horizon Oil Spill or response (collectively, “incident”), or compensating for interim losses resulting from the incident;
 - b. address one or more specific injuries to natural resources or services associated with the incident;
 - c. seek to restore natural resources, habitats, or natural resource services of the same type, quality, and of comparable ecological and/or human-use value to compensate for identified resource and service losses resulting from the incident;
 - d. are consistent with the anticipated long-term restoration needs and anticipated final restoration plan;
 - e. are feasible and cost-effective.

Projects selected by individual trustees must be approved by the Trustee Council prior to being presented to BP. An early restoration plan or series of plans will be developed from projects approved by the trustees and BP. There will be opportunity for public input on any draft early restoration plan.



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